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6  
7 **UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

8 TROY BENSON, an individual,

Case. No.: 2:21-cv-01928-RFB-BNW

9 Plaintiff,

10 vs.

11  
12 LAS VEGAS METROPOLITAN POLICE  
13 DEPARTMENT, in its official capacity; and  
14 JOSEPH LOMBARDO, individually and in  
15 his official capacity as Sheriff of the Las  
Vegas Metropolitan Police Department,

16 Defendants.

**STIPULATION AND ORDER TO**  
**CONTINUE AND RESET 02/07/2022**  
**EARLY NEUTRAL EVALUATION**  
**SESSION [ECF No. 23]**

**(SECOND REQUEST)**

17 Plaintiff TROY BENSON, and Defendants LAS VEGAS METROPOLITAN  
18 POLICE DEPARTMENT AND JOSEPH LOMBARDO (collectively “Parties”) by and  
19 through their respective counsel, hereby stipulate to the following:

20 IT IS HEREBY STIPULATED that, at the initiation of Plaintiff’s undersigned  
21 counsel, the Early Neutral Evaluation Session, which is currently set for February 7, 2022,  
22 at 10:00 a.m. by ECF No. 23 before United States Magistrate Judge Daniel J. Albregts be  
23 vacated due to the unavailability of Plaintiff Troy Benson because of a COVID-19 infection.

24 IT IS FURTHER STIPULATED that the following five (5) alternative dates have  
25 been confirmed by all parties and their counsel to be available for rescheduling the Early  
26 Neutral Evaluation Session at the Court’s convenience:

27 1. March 16<sup>th</sup>, 2022;  
28 2. March 18<sup>th</sup>, 2022;

3. March 29<sup>th</sup>, 2022.
4. March 30<sup>th</sup>, 2022; and
5. March 31<sup>st</sup>, 2022.

With this resetting, the parties will be submitting their confidential written Early Neutral Evaluation statements for the Court's *in camera* review ten (10) days prior to the Early Neutral Evaluation Session and agree to comply with all other aspects of the Court's Order Scheduling the Early Neutral Evaluation (ECF No. 20.)

This request is made in good faith and is not sought for any improper purpose or for the purpose of delay.

## IT IS SO STIPULATED.

DATED this 1<sup>st</sup> day of February 2022.

DATED this 1<sup>st</sup> day of February 2022.

## MCLETCHIE LAW

# MARQUIS AURBACH COFFING

/s/ Margaret A. McLetchie  
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Metropolitan Police Department and Joseph  
Lombardo*

## **ORDER**

IT IS SO ORDERED. The Early Neutral Evaluation scheduled for February 7, 2022 is **VACATED** and **RESET** for **Wednesday, March 16, 2022 at 10:00 a.m.** via video conference. IT IS FURTHER ORDERED that the confidential evaluation statements are due by Noon on **Wednesday, March 9, 2022**. All other provisions of the Court's Order (ECF No. 20) remain in effect.

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UNITED STATES MAGISTRATE JUDGE

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DATED: February 2, 2022